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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,716	01/22/2002	Sashikanth Chandrasekaran	50277-1763	2140
29989	7590	12/06/2006	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP			CHEN, TE Y	
2055 GATEWAY PLACE			ART UNIT	PAPER NUMBER
SUITE 550				
SAN JOSE, CA 95110			2161	

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary for Applications Under Accelerated Examination</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/056,716	CHANDRASEKARAN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Susan Y. Chen	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Since this application has been granted special status under the accelerated examination program,

**NO extensions of time under 37 CFR 1.136(a) will be permitted and a SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE:**

**ONE MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER,**  
FROM THE MAILING DATE OF THIS COMMUNICATION – if this is a non-final action or a Quayle action.  
(Examiner: For FINAL actions, please use PTOL-326.)

The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. Any reply must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the reply is not filed electronically via EFS-Web, the final disposition of the application may occur later than twelve months from the filing of the application.

#### **Status**

- 1) Responsive to communication(s) filed on 22 September 2006.  
2) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 3) Claim(s) 8-15 and 23-44 is/are pending in the application.  
3a) Of the above claim(s) 8-15 and 23-30 is/are withdrawn from consideration.  
4) Claim(s) \_\_\_\_\_ is/are allowed.  
5) Claim(s) 31-44 is/are rejected.  
6) Claim(s) \_\_\_\_\_ is/are objected to.  
7) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 8) The specification is objected to by the Examiner.  
9) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
10) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
• See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/22/2006 has been entered.

This office is in response to the amendment filed on 09/22/2006.

Claims 8-15, 23-44 are pending for examination, claims 1-7 and 16-22, have been canceled, claims 8-15 and 23-30 have been withdrawn for consideration previously; claims 31, 36-38 and 43-44 have been amended. Applicant is reminded to cancel all non-elected claims.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 31-44, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 31 and 38, the claimed "said request" (line 8 of claim 31 and line 10 of claim 38) is indefinite, because there are more than one requests claimed in these claims. For example, the requests at lines: 2, 5, and 17 of claim 31 and lines: 4, 7 & 19 of claim 38. To expedite the examination of instant invention, the examiner assumes that the claimed "said request" is "the request submitted by any requester".

As to claims 32-37 and 39-44, these claims have the same defects as their base claims, hence are rejected for the same reason.

Because the ambiguous nature of instant invention, the following art rejection is as to the best of the examiner ascertain.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 31-33, 36-40 and 43-44, are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (U.S. Patent No. 5,721,943).

As to claims 31 and 38, Johnson discloses the claimed features [e.g., Abstract, Fig. 5 and associated texts], comprising:

a requester transmitting to a lock management system a request for a certain lock on a first resource [e.g., Fig(s). 6A-C];  
said lock management system denying said request based on a blocking condition [e.g., the rule is locked at step 112, Fig. 6A and other temp lock in effects at step 114, Fig. 6A, the request is denied at step 134, Fig. 6C ] that, while in effect, said lock management system does grant a request for a lock on a second resource different than said first resource [e.g., steps: 150, 152, Fig. 7A, 170-176, Fig 7C & 178-184, Fig 7D];

said requester receiving from said lock management system a response that (1) denies said request [e.g., the steps: 122, 124, 126, 128, 134, Fig. 6B]; and (2) includes data that identifies the second resource [e.g., the steps: 128, 130, Fig. 6B] and

said requester determining said blocking condition is no longer in effect by performing certain steps that include: (1) said requester transmitting to said lock management a request for a lock on said second resource [e.g., steps; 136, 138, Fig. 6C]; and said requester receiving from said lock management system a response that grants said request for said lock on said second resource [e.g., the steps: 140, 142, 144, Fig. 6C].

As to claims 32 and 39, in addition to the features disclosed in claims 31 and 38 respectively, Johnson further discloses that the second resource is a transaction [e.g., the early notification routine, late notification routine at Record unit 130, Fig. 6B] and the first resource is a resource locked for the transaction [e.g., the lock types requested at 96, Fig. 5].

As to claims 33 and 40, in addition to the features disclosed in claims 32 and 39 respectively, Johnson further discloses that the data that identifies a second resource includes a transaction id identifying the transaction [e.g., the LOCKID, TRXID, INTRXID of Record unit 130, Fig. 6B].

As to claims 36 and 43, in addition to the features disclosed in claims 31 and 38 respectively, Johnson further discloses that when the blocking condition no longer prevents the lock management system from granting a lock on the first resource, said first requester informing the lock management system that blocking condition is no longer in effect [e.g., col. 7, lines 40-50].

As to claims 37 and 44, in addition to the features disclosed in claims 31 and 38 respectively, Johnson further discloses that the first requester informing the lock management system that the blocking condition is no longer effect by making another request for a lock of the first resource, the request including data specifying that the blocking condition is no longer effect [e.g., col. 7, lines 36-52].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 34-35 and 41-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (U.S. Patent No. 5,721,943) in view of Varma (U.S. Patent No. 6,336,134).

As to claims 34-35 and 41-42, in addition to the features disclosed in claims 31 and 38 respectively, Johnson further discloses that the first resource is a data block [e.g., Fig. 9B]

Johnson did not specifically disclose that the blocking condition is based on the data block undergoing a marking block-split operation.

However, Varma discloses that the claimed blocking condition that based on the data block undergoing a marking block-split operation [e.g., col. 18, lines 44- col. 19, lines 6, Fig. 15 and associated texts].

Johnson and Varma are both in the same endeavor to optimize concurrent shared data processing via data block locking mechanism, thus, with the teachings of Johnson and Varma in front of him or her, it would have been obvious for an ordinary skilled person at the time the invention was made, to apply Varma's marking block-split

operation in Johnson's invention, because by doing so, the combined system will provide an upgraded dynamic locking mechanism of data blocks to facilitate concurrent shared data accessing without entering into deadlock.

***Response to Arguments***

Applicant's arguments with respect to claims 31-44 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/056,716  
Art Unit: 2161

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Susan Y Chen  
Examiner  
Art Unit 2161

*Susan Chen*

November 26, 2006